

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33867 of 2022

Arising Out of PS. Case No.-169 Year-2021 Thana- RAMKRISHNANAGAR District- Patna

1. PREMA DEVI @ PAREMA DEVI W/o Ashok Sharma Resident of Village - Lal Chak, P.s.- Kako OP- Bhelabhar, Distt.- Jehanabad.
2. Shivangi Kumari D/o Ashok Sharma Resident of Village - Lal Chak, P.s.- Kako OP- Bhelabhar, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 34688 of 2022

Arising Out of PS. Case No.-169 Year-2021 Thana- RAMKRISHNANAGAR District- Patna

GAURAV KUMAR S/o Ashok Sharma Resident of Village- Lal Chak, P.S.- Kako. O.P. Bhelabhar, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 33867 of 2022)

For the Petitioner/s : Mr.Sameer Sawarn, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

(In CRIMINAL MISCELLANEOUS No. 34688 of 2022)

For the Petitioner/s : Mr.Sameer Sawarn, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-11-2022

CRIMINAL MISCELLANEOUS No.33867 of 2022

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

Learned counsel for the petitioners is permitted to
make rectification in the cause title of the anticipatory bail



application with respect to petitioner no.2.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 307, 325, 341, 342, 323, 308, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner no.1 has antecedent of one case and petitioner no.2 has antecedent of two cases and both are women and the informant alleges that he was outside his house when he heard noise from inside the house, accordingly he went inside and saw that the petitioners along with co-accused persons were abusing and assaulting his father and mother and when he intervened Ashok and his son Gaurav assaulted him with an iron rod causing injury and his parents also suffered injury and were treated at Ford hospital, it is next alleged that petitioners also assaulted him by lathi.

Learned counsel for the petitioners submits that informant is husband of petitioner no.2 and petitioner no.1 is mother-in-law of the informant and there is a matrimonial dispute between the petitioner no.2 and petitioner no.1, on account of which the present occurrence is alleged to have taken place, it is next submitted that allegation of assaulting the father and mother of the informant is on Ashok (father-in-law of the



informant) and Gaurav (brother-in-law of the informant) and as far as allegation of assault against these petitioners is alleged the same is general and omnibus in nature.

Learned A.P.P. for the State and the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners, but are not in a position to rebut the submission of the learned counsel for the petitioners that the allegation of assault is general and omnibus against the present petitioners and even the injury suffered by the informant is not grievous.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Ramkrishna Nagar P.S. Case No. 169 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

CRIMINAL MISCELLANEOUS No. 34688 of 2022

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case



registered for the offences punishable under Sections 307, 325, 341, 342, 323, 308, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that he was outside his house when he heard noise from outside the house, accordingly he went inside and saw that the petitioner along with co-accused persons was abusing and assaulting his father and mother and when he intervened the Ashok and his son Gaurav assaulted him with an iron rod causing injury and his parents also suffered injury and were treated at Ford Hospital, it is next alleged that petitioners also assaulted him by lathi.

Learned counsel for the petitioner submits that on account of dispute between his sister and the informant who are husband and wife, the present occurrence is alleged to have taken place, it is next submitted that the petitioner has been falsely implicated in the present case, alleging that he assaulted by an iron rod causing injury to the injured.

Learned A.P.P. for the State and the informant oppose the prayer for anticipatory bail of the petitioner and submit that there is a specific allegation against this petitioner of assaulting the parents of the informant leading to grievous injury.



Considering the submissions made by the learned
counsel for the informant, the Court is not inclined to extend the
privilege of anticipatory bail to the petitioner.

(Satyavrat Verma, J)

Shivam/-

U		T	
---	--	---	--

